

STRAYHORN & PERSONS, P.L.
A Professional Limited Liability Company
2125 First Street, Suite 201 • Fort Myers, Florida 33901

E. Bruce Strayhorn, P.L.
bruce@strayhornlaw.com

Telephone: (239) 334-1260
Facsimile: (239) 334-1069

Jenna Persons, P.L.
jpersons@strayhornlaw.com

November 17, 2015

Jeff S. Jordan
Assistant General Counsel
Office of Complaints Examination &
Legal Administration
Federal Election Commission
jjordan@fec.gov
jhampton@fec.gov

RE: MUR 6976

Dear Mr. Jordan:

Our firm represents Councilman Johnny W. Streets, Jr. and his campaign, as stated on the attached Statements of Designation of Counsel. Please accept this letter with exhibits as our clients' joint response to the complaint filed in the matter MUR 6976.

The Complainant Anthony Thomas, Jr., who was a candidate defeated by Councilman Streets in the September 15, 2015 election for Ward 2, alleges that Councilman Streets and his campaign accepted contributions from a foreign company and listed three contributions:

Loftin Island Developments, LLC \$1000
Loftin Island GP, LLC \$1000
Loftin Island Holdings, LLP \$1000

To begin with, we note that the above entities set forth in Mr. Thomas's Complaint did not contribute to Councilman Street's campaign. The following three entities, as reflected on the campaign financial report attached to the complaint, are the correct names of the entities that contributed to Councilman Street's campaign:

Lofton Island Developments LLLP
Lofton Island GP LLC
Lofton Island Holdings LLLP

All three of the above entities are domestic Florida companies formed and registered in the State of Florida, as reflected on the attached Certificates of Status from the Florida Department of State.

According to State of Florida public records, Lofton Island Holdings LLLP, a Florida limited partnership, is owned by General Partner Lofton Island GP LLC, a Florida limited liability company with members listed with addresses in Halifax, Nova Scotia. Lofton Island Holdings LLLP owns over 200 residential units that it holds out for rent in the second of two residential highrise towers known as The Oasis, located in the City of Fort Myers and located at 3040 Oasis Grand Boulevard, Fort Myers, Florida 33916.

Lofton Island Developments LLLP is a Florida limited partnership and is owned by General Partner Lofton Island Developments GP LLC, a Florida limited liability company with officers listed with addresses in Halifax, Nova Scotia. Lofton Island Developments LLLP owns multiple parcels associated with The Oasis highrise community in Fort Myers, Florida, including a facility often rented out for various events such as weddings.

According to State of Florida records, the principal address of all three entities at issue is 3040 Oasis Grand Boulevard, Fort Myers, Florida 33916, which is also the address for the administrative office of The Oasis facilities.

The entities at issue have done business in the City of Fort Myers and the project they own, The Oasis residential highrise community, is located in Councilman Street's ward and has been in front of the City Council in recent years.

Councilman Streets is familiar with the Lofton Island entities and they are known to him as the Florida companies that own one of two towers at, intend to develop future towers of and have active administrative offices at The Oasis in Ward 2 in the City of Fort Myers.

On or about August 24, 2015, the campaign to re-elect Councilman Streets deposited \$1000 checks from each of the above listed three Lofton Island entities. The funds contributed were from accounts with TD Bank in Miami, Florida. At the time of deposit, Councilman Streets was unaware of any potential federal law issues with the contributions or that they could potentially be considered to be foreign contributions. The campaign properly and timely reported the contributions and listed with the contributions the Halifax, Nova Scotia address that accompanied the checks. No information was concealed and all properly reported. The three checks were received in good faith as many developers in Ward 2 contributed funds to the campaign and all information related to the donors was properly disclosed on public financial reports.

On or about September 15, 2015, Councilman Streets was elected by the residents of Ward 2 to serve another four years on the City Council. At the time of his election, the Streets campaign had well over \$3000 in funds that had not been spent and were not otherwise obligated.

On or about October 12, 2015, Councilman Streets learned from a local news-reporter and the City of Fort Myers Clerk that there may be issues with the three contributions involved based solely on the Halifax, Nova Scotia address.

On or about October 16, 2015, in order to not take any chances, the Streets campaign immediately prepared refund checks to the above three entities and Councilman Streets personally delivered said refund checks to the administrative office located at 3040 Oasis Grand Boulevard, Fort Myers, Florida 33916. Copies of the refund checks are attached hereto. The \$3000 received by Councilman Streets from the three Lofton Island entities has been fully returned to the donors.

Mr. Thomas's complaint references the State of Florida Division of Elections Candidate Handbook that local candidates receive. We note that the Handbook states that Federal law prohibits contributions from foreign nationals. The Handbook fails to state any issues related to domestic entities with relations to foreign nationals and perhaps should be amended to include the FEC's Foreign National Brochure, which sets forth additional information of which local candidates should be made aware.

In reviewing the Foreign National Brochure, 11 CFR 110.20 and 11 CFR 103.3, no action should be recommended to be taken against Councilman Streets or his campaign in this matter. Councilman Streets and his campaign did not knowingly or willfully accept a contribution from a foreign national. When he was made aware of the need to further investigate these contributions, he chose to immediately return all funds received. The funds at issue were not spent by the Streets campaign but were fully returned to the donors four days after learning of the potential issue.

Please let us know if we can be of further assistance in this matter or answer any additional questions.

Best regards,

Jenna Persons, Esq.

17044405109



FEDERAL ELECTION COMMISSION
999 E Street, NW
Washington, DC 20463

STATEMENT OF DESIGNATION OF COUNSEL

Provide one form for each Respondent/Witness

FAX 202-219-3923

MUR # 6976

Name of Counsel: Jenna Persons, Esq.

Firm: Strayhorn and Persons, PC

Address: 2125 1st St. Ste 201
Fort Myers, FL 33901

Telephone: 239-334-1260 Fax: 239-334-1069

E-mail: jpersons@strayhornlaw.com

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

11/16/2015 X. Matoria W. Chaney Treasurer
Date Signature (Respondent/Agent) Title

RESPONDENT: Johnny W. Streets Jr. Campaign
(Committee Name/ Company Name/Individual Named in Notification Letter)

Mailing Address: PO Box 1793
(Please Print) Fort Myers, FL 33902

Telephone (H): _____ (W): _____

E-mail: cell phone for matoria Chaney

This form relates to a Federal Election Commission matter that is subject to the confidentiality provisions of 52 U.S.C. § 30109(a)(12)(A). This section prohibits making public any notification or investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.



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999 E Street, NW
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Provide one form for each Respondent/Witness

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Name of Counsel: Jenna Persons, Esq.

Firm: Strayhorn and Persons, PL

Address: 2125 1st St. Ste 201

Fort Myers, FL 33901

Telephone: 239-334-1260 Fax: 239-334-1069

E-mail: jpersons@strayhornlaw.com

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

11/16/2015
Date

[Signature]
Signature (Respondent/Agent)

candidate
Title

RESPONDENT:

Johnny W. Streets Jr.

(Committee Name/ Company Name/Individual Named in Notification Letter)

Mailing Address:
(Please Print)

PO Box 1793

Fort Myers, FL 33902

Telephone (H):

(W):

E-mail:

This form relates to a Federal Election Commission matter that is subject to the confidentiality provisions of 52 U.S.C. § 30109(a)(12)(A). This section prohibits making public any notification or investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.

AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, this day personally appeared Johnny W. Streets, Jr., who states the following:

1. I was re-elected to serve as the councilperson for Ward 2 in the City of Fort Myers on September 15, 2015. This is a non-partisan office.
2. My opponents in the election were Anthony Thomas, Jr. and Stephen Bienko.
3. Because I received over 50% of the vote on September 15, I was elected without a runoff.
4. On or about August 24, 2015, my campaign received checks in the amount of \$1000 from each of the following three Florida entities:
 - a. Lofton Island Developments LLLP
 - b. Lofton Island GP LLC
 - c. Lofton Island Holdings LLLP
5. I am familiar with the above Florida entities as owning the project known as the Oasis highrise development and located in my ward. The Oasis consists of two highrise towers, an event facility, public boat ramp, and property for future development.
6. The Oasis project has been before me on council for various approvals over the years.
7. Multiple developers with projects in my ward contributed to my re-election campaign.
8. At the time of receipt of the checks mentioned above, I was unaware of any potential federal issues or that these funds could potentially be considered to be foreign funds.

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9. My campaign properly and timely reported the above contributions on the required public financial campaign reports.


10. On or about October 12, 2015, I learned from a local news reporter and our City Clerk that there were concerns about the funds received.

11. Since I had not spent the funds, I believed the best course at that stage was to return them without further investigation.

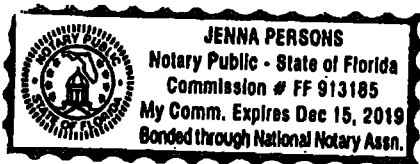
12. On or about October 16, 2015, I personally delivered refund checks to the entities listed above for the full amounts contributed, which was \$1000 to each of the three Florida entities, at their administrative office located at the Oasis in Ward 2, City of Fort Myers.


NOTES

FURTHER AFFIANT SAYETH NAUGHT.

By: 
Johnny W. Streets, Jr.

The foregoing instrument was sworn to and subscribed before me this 16th day of November, 2015, by Johnny W. Streets, Jr., who is personally known to me.




NOTARY PUBLIC, State of Florida
My Commission Expires: 12/15/2019

1704403114

AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, this day personally appeared Maltoria W. Chancey, who states the following:

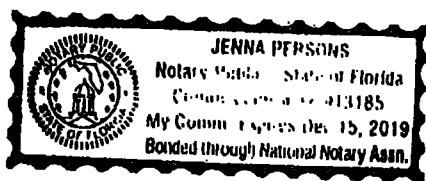
1. At all times relevant, I was the Treasurer for Johnny W. Street Jr.'s campaign.
2. On or about August 24, 2015, I deposited into the campaign account a check in the amount of \$1000 from each of the following three Florida entities:
 - a. Lofton Island Developments LLLP
 - b. Lofton Island GP LLC
 - c. Lofton Island Holdings LLLP
3. Thereafter, I properly and timely reported the above contributions on the required public financial campaign reports.
4. The contributions listed above came from accounts with TD Bank in Miami, Florida.
5. At the time of deposit, I was unaware of any issues with the funds noted above.
6. The balance in the campaign account as of September 15, 2015, which was the date of the election, was \$16,978.91.
7. On or about October 16, 2015, I prepared refund checks to the entities listed above for the full amounts contributed, which was \$1000 to each of the three entities, and properly noted said checks in the campaign's records.
8. The balance in the campaign account after deducting the refund checks made on October 16, 2015, was \$5,034.24.
9. As of today, all excess funds have been disbursed to various non-profit organizations pursuant to Florida law.

17044403115

FURTHER AFFIANT SAYETH NAUGHT.

By: Maltoria W. Chancey
Maltoria W. Chancey

The foregoing instrument was sworn to and subscribed before me this 16th day of November, 2015, by Maltoria W. Chancey, who is personally known to me.



[Signature]
NOTARY REPUBLIC, State of Florida
My Commission Expires: 12/15/2019

1709440404116

October 16, 2015

Lofton Island Holdings, LLLP
1475 Lower Water St. Suite 100
Halifax, NJ B3J3Z2

Dear Contributor,

Thank you for your contribution of \$1,000.00 to my campaign account for re-election.
However, because of Federal Law a refund check in the amount of \$1,000.00 is ~~enclosed~~.
Again, thank you.

enclosed.

Sincerely,

[Signature]
Johnny W. Streets Jr.
P.O. Box 1793
Fort Myers, FL 33902

JOHNNY W. STREETS, JR.
CAMPAIGN ACCOUNT
PO BOX 1793
FORT MYERS FL 33902-1793

1022

63-27/631 FL
24213

10-16-15

Date

Pay To The Order Of Lofton Island Holdings, LLLP \$ 1,000.00
One Thousand 00/100 Dollars

Bank of America

ACH R/T 083100277

For Refund Contribution Malinda Cheney

October 16, 2015

Lofton Island Developments, LLC
1475 Lower Water St. Suite 100
Halifax, NJ B3J3Z2

Dear Contributor,

Thank you for your contribution of \$1,000.00 to my campaign account for re-election.
However, because of Federal Law a refund check in the amount of \$1,000.00 is ~~enclosed~~.
Again, thank you. *enclosed.*

Sincerely,

[Signature]
Johnny W. Streets Jr.
P.O. Box 1793
Fort Myers, FL 33902

JOHNNY W STREETS, JR
CAMPAIGN ACCOUNT
PO BOX 1793
FORT MYERS FL 33902-1793

1021

63-27/631 FL
24213

10-16-15
Date

Pay To The Order Of Lofton Island Developments LLC \$ 1,000.00
One thousand ⁰⁰/₁₀₀ Dollars

Bank of America

ACH R/T 063100277

For Refund Contribution *Malinda Schaney*

October 16, 2015

Lofton Island GP, LLC
1425 Lower Water St. Suite 100
Halifax, NJ B3J3Z2

Dear Contributor,

Thank you for your contribution of \$1,000.00 to my campaign account for re-election.
However, because of Federal Law a refund check in the amount of \$1,000.00 is ~~enclosed~~.
Again, thank you.

enclosed.

Sincerely,

[Signature]
Johnny W. Streets Jr.
P.O. Box 1793
Fort Myers, FL 33902

JOHNNY W STREETS, JR
CAMPAIGN ACCOUNT
PO BOX 1793
FORT MYERS FL 33902-1793

1023

63-27631 FL
24213

10-16-15

Date

Pay To The
Order Of

Lofton Island GP LLC

\$ 1,000.00

One thousand

00

Dollars

Bank of America

ACH R/T 003100277

For

Refund Contribution Matthew W Chancy

State of Florida

Department of State

I certify from the records of this office that LOFTON ISLAND DEVELOPMENTS LLLP is a limited partnership organized under the laws of the State of Florida, filed on June 20, 2013.

The document number of this limited partnership is A13000000326.

I further certify that said limited partnership has paid all fees due this office through December 31, 2015 and that its status is active.

I further certify that said limited partnership has not filed a Certificate of Withdrawal.

*Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capital, this
the Seventeenth day of November,
2015*



Ken Diefmer
Secretary of State

Tracking Number: CU8230941013

To authenticate this certificate, visit the following site, enter this number, and then follow the instructions displayed.

<https://services.sunbiz.org/Fillings/CertificateOfStatus/CertificateAuthentication>

State of Florida

Department of State

I certify from the records of this office that LOFTON ISLAND GP LLC is a limited liability company organized under the laws of the State of Florida, filed on December 23, 2010.

The document number of this limited liability company is L10000130858.

I further certify that said limited liability company has paid all fees due this office through December 31, 2015, that its most recent annual report was filed on March 25, 2015, and that its status is active.

*Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capital, this
the Seventeenth day of November,
2015*



Ken Peltzman
Secretary of State

Tracking Number: CU0676645783

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<https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication>

State of Florida

Department of State

I certify from the records of this office that LOFTON ISLAND HOLDINGS LLLP is a limited partnership organized under the laws of the State of Florida, filed on December 23, 2010.

The document number of this limited partnership is A10000000856.

I further certify that said limited partnership has paid all fees due this office through December 31, 2015 and that its status is active.

I further certify that said limited partnership has not filed a Certificate of Withdrawal.

*Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capital, this
the Seventeenth day of November,
2015*



Ken Peterson
Secretary of State

Tracking Number: CU4737557755

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<https://services.sunbiz.org/Fillings/CertificateOfStatus/CertificateAuthentication>

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